

United States District Court Eastern District of Michigan

United States of America
V.
RANDI CARL DIGGS

JUDGMENT IN A CRIMINAL CASE

Case Number: 07CR20222-4
USM Number: 41613-039

Robert F. Kinney, III
Defendant's Attorney

THE DEFENDANT:

■ Plead guilty to count(s) **8 of the Indictment.**

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
21 U.S.C. 841(a)(1)	Distribution of Cocaine, Crack Cocaine, and Marijuana	September 19, 2006	8

The defendant is sentenced as provided in pages **2 through 5** of this judgment. This sentence is imposed pursuant to the Sentencing Reform Act of 1984

■ Count(s) **4,6,7** are dismissed on the motion of the United States after a plea of not guilty.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

May 19, 2008
Date of Imposition of Judgment



s/David M. Lawson
United States District Judge

May 27, 2008
Date Signed

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PROBATION

The defendant is hereby sentenced to probation for a term of: 3 years.

The defendant shall not commit another federal, state or local crime.

If the defendant is convicted of a felony offense, DNA collection is required by Public Law 108-405.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court. Revocation of Probation is mandatory for possession of a controlled substance.

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 14) the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. Revocation of supervised release is mandatory for possession of a firearm.

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SPECIAL CONDITIONS OF SUPERVISION UNDER PROBATION

■ The defendant shall participate in a program approved by the Probation Department for substance abuse, and that program must include attendance at Narcotics Anonymous at least twice a week, and that program will also include testing to determine if the defendant has reverted to the use of drugs or alcohol. Any noncompliance with these conditions will result in an immediate notice of violation and a hearing before the court. It is the Court's intention that no tolerance will be extended as to noncompliance with this condition, and with standard condition number 7, which provides that the defendant shall not use any illegal substance of any kind while on probation.

The defendant shall not be a member of or associate with any group oriented in whole or in part toward criminal purpose, commonly referred to as a "gang". The defendant shall not be found in the social company of any person who the defendant knows or reasonably ought to know is a member of any insignia, emblem, hat, scarf, bandanna, or article of clothing which is designed, arranged, or used in any way to symbolize membership in, affiliation with, or approval of a gang. The defendant shall not possess, wear, or display any article of clothing to which any insignia or name, which is easily discernable from a distance of more than 10 feet. The defendant shall not any time use any hand or body signals of such kind as are associated with signifying membership in, affiliation with, or approval of a gang. The defendant shall acquire no tattoos, body markings, or piercing of any kind.

If the defendant has not obtained his General Educational Development Certificate while incarcerated, he shall do so while on supervised release.

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CRIMINAL MONETARY PENALTIES

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS:	\$ 100.00	\$ 0.00	\$ 0.00

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
TOTALS:	\$ 0.00	\$ 0.00	

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES

The Court waives assessment of a fine or costs of supervision due to the defendant's lack of resources.